

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NETRATINGS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-314-GMS
)	
COREMETRICS, INC.)	
)	
Defendant.)	
)	

STIPULATION AND PROPOSED ORDER

WHEREAS, plaintiff NetRatings, Inc. (“NetRatings”) has certain documents within its possession, custody, or control pursuant to a protective order entered in Jupiter Media Metrix, Inc. v. NetRatings, Inc., C.A. No. 01-193-SLR (D. Del.) (the “Jupiter Litigation”);

WHEREAS, the Protective Order in the Jupiter Litigation allows for disclosure of documents and information designated for protection under the Protective Order pursuant to a Court Order, as follows:

If a third party, another court or an administrative agency subpoenas or orders production of documents or information designated for protection under this Protective Order which a party has obtained under the terms of this Order, such party shall promptly notify the party or other person who designated the document of the pendency of such subpoena or order.

(See ¶30, Stipulation and Protective Order, attached hereto as Exhibit A).

WHEREAS, the Jupiter Litigation concluded on May 8, 2002 and has been closed since that date;

WHEREAS, NetRatings has tried, but been unsuccessful in its attempts, to obtain permission to produce the documents at issue from a successor company, Jupitermedia

Corporation, which has since purchased part of the assets of the former Jupiter Media Metrix, Inc.; and

WHEREAS, the parties jointly seek an order from this Court, as contemplated by the Protective Order in the Jupiter Litigation, to enable NetRatings to produce the information subject to the Protective Order,

NOW, THEREFORE, IT IS STIPULATED AND AGREED, subject to the approval and order of the Court, that:

1. NetRatings shall notify Jupiter Media Metrix, Inc. and its known successors, local Delaware counsel, and outside counsel that represented Jupiter Media Metrix, Inc. in the Jupiter Litigation of the filing and pendency of this Stipulation and Proposed Order by the Court via overnight courier within five days of this Order.

2. Jupiter Media Metrix, Inc. and/or its known successors, local Delaware counsel, and/or outside counsel that represented Jupiter Media Metrix, Inc. in the Jupiter Litigation shall, within ten (10) business days after the entry of this Order by the Court, serve notice of any objection to the production of any such documents and/or information described above to the Court.

3. If Jupiter Media Metrix, Inc. and/or its known successors, local Delaware counsel, and/or outside counsel that represented Jupiter Media Metrix, Inc. in the Jupiter Litigation fails to object within the time period set in Paragraph 2 of this Order, NetRatings shall be permitted to proceed with production of any such documents and/or information described above to the Court.

YOUNG CONAWAY STARGATT &
TAYLOR, LLP

/s/ Monté T. Squire
John W. Shaw (No. 3362)
Andrew A. Lundgren (No. 4429)
Monté T. Squire (No. 4764)
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, DE 19899
(302) 571-6600
jshaw@ycst.com
alundgren@ycst.com
msquire@ycst.com

Counsel for NetRatings, Inc.

Dated: May 9, 2006

ASHBY & GEDDES

/s/ John G. Day
Steven J. Balick (No. 2114)
John G. Day (No. 2403)
Lauren E. Maguire (No. 4261)
222 Delaware Avenue
P.O. Box 1150
Wilmington, DE 19899
(302) 654-1888
jday@ashby-geddes.com
sbalick@ashby-geddes.com
lmauire@ashby-geddes.com

Counsel for Coremetrics, Inc.

SO ORDERED this _____ day of _____, 2006.

United States District Judge